

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**

8
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 DONNA R. NELSON, an individual and on
11 behalf of the general public,

12 Plaintiff,

13 vs.

14 BIC USA, INC., a Delaware corporation, and
15 DOES 1 through 100, inclusive,

16 Defendants.
17
18
19

) CASE NO.: 07-CV-2367- LAB(RBB)

) **ORDER GRANTING JOINT MOTION**
) **OF ALL PARTIES TO TAKE**
) **DEFENDANT'S MOTION TO DISMISS**
) **OFF CALENDAR TO PERMIT**
) **PREPARATION OF A SETTLEMENT**
) **AGREEMENT AND SUBMISSION OF**
) **A JOINT MOTION TO DISMISS**

) Judge: Hon. Larry A Burns
) Ctrm: Room 9 - 2d Floor

) Magistrate Judge: Hon. Ruben B. Brooks
) Ctrm: Room B – 1st Floor
)
)
)

20
21 Having considered the parties' Joint Motion to Take Defendant's Motion to Dismiss Off
22 Calendar to Permit Preparation of a Settlement Agreement, filed on August 28, 2008 [doc. no.
23 41], and good cause appearing therefor, the motion is granted, and,

24 IT IS HEREBY ORDERED that the hearing date of September 8, 2008 for defendant's
25 motion to dismiss the claims on the ground that they are preempted by federal law, is vacated.
26

27 Dated: 8-29-08
28


Larry A. Burns, Judge
United States District Court

- 1 -